

REMARKS

This is in response to the Examiner's Office Action mailed February 5, 2007. Claims 1-37 are pending. In that office action the Examiner rejected claims 1-37. Claims 1 and 31 have been amended. Claim 25 has been cancelled.

Claims 1-15 and 20-37 are rejected under 35 U.S.C. §102(b) as being anticipated by Badders (US 6,305,073). Regarding claims 1 and 31, without acquiescing in the Examiner's rejection, amended claims 1 and 31 are certainly novel over Badders. In particular, Badders discloses y-axis electrodes 30A and 30B in electrical contact with the upper conductive surface 16 (col. 5, lines 5-6) and x-axis electrodes 34A and 34B in electrical contact with the lower conductive surface 18 (col. 5, lines 9-10). Therefore, Badders does not disclose auxiliary electrodes capacitively coupled to a sensing electrode as recited in amended claims 1 and 31. Accordingly, claims 1 and 31 are not anticipated by Badders.

Regarding claims 2-15, 20-24, 26-30, and 32-37, since these claims are ultimately dependent on claim 1 or 31, they are not anticipated by Badders either.

For these reasons, claims 1-15, 20-24 and 26-37 are patentable under 35 U.S.C. 102(b) over Badders and reconsideration and withdrawal of the rejection is respectfully requested.

Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badders (US 6,305,073). Claims 16-19, however, ultimately depend from claim 1 which is patentable over Badders. Therefore, claims 16-19 are also patentable over Badders.

For these reasons, claims 16-19 are patentable under 35 U.S.C. 103(a) over Badders and reconsideration and withdrawal of the rejection is respectfully requested.

Fees

- ☐ Any required fee will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.
- ☐ Please charge any fees under 37 CFR §§ 1.16 and 1.17 which may be required to Deposit Account No. 13-3723. (One copy of this sheet marked duplicate is enclosed.)
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
- ☒ Please credit any overpayment to the same deposit account.

In view of the above, it is respectfully submitted that all the pending claims in the present application are patentable over the references cited and are in condition for allowance. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested and an early indication of allowance is earnestly solicited.

Respectfully submitted,

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Date

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